

MAR 13 2015

SENATE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO CONDUCT AN AUDIT TO DETERMINE THE
EXISTENCE OF POTENTIAL PATTERNS OF ABUSE IN THE USE OF
STATE AND FEDERAL LEAVE BENEFITS BY ADULT CORRECTIONS
OFFICERS OF THE DEPARTMENT OF PUBLIC SAFETY.

1 WHEREAS, similar to all state employees, corrections
2 officers accrue twenty-one sick leave days and twenty-one
3 vacation days each year; and
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5 WHEREAS, when using sick leave, corrections officers are
6 not required to provide a doctor's note to verify their illness
7 unless they have been absent from work for five consecutive
8 working days; and
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10 WHEREAS, the federal Family and Medical Leave Act entitles
11 eligible employees of covered employers to take unpaid, job-
12 protected leave for specified family and medical reasons with
13 continuation of group health insurance coverage under the same
14 terms and conditions as if the employee had not taken leave; and
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16 WHEREAS, more than half of the one thousand three hundred
17 corrections officers in the State qualify for coverage under the
18 Family and Medical Leave Act; and
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20 WHEREAS, during the first six months of 2013, the day with
21 the highest absentee rate among adult corrections officers at
22 the Oahu Community Correctional Center was New Year's Day, when
23 eighty-seven corrections officers called in sick, equal to
24 forty-six percent of those scheduled; and
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26 WHEREAS, according to the Department of Public Safety,
27 about twenty-three percent of the scheduled guards at the Oahu
28 Community Correctional Center called in sick on June 15, 2013,
29 the day a staffing shortage left a sixty-one year old guard to
30 work alone, suffer a heart attack, and later die that night at a
31 hospital; and



1
2 WHEREAS, nearly half of the corrections officers at four
3 correctional facilities across the State called in sick on Super
4 Bowl Sunday in 2015, resulting in sixty corrections officers
5 having to be held over or brought in on overtime to fill these
6 vacant positions; and

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8 WHEREAS, high absenteeism at the Oahu Community
9 Correctional Center is one reason why the facility spends
10 \$2,500,000 a year on overtime; and

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12 WHEREAS, however, some Oahu Community Correctional Center
13 managers run shifts with dangerously low staffing levels,
14 leaving inmates, staff, and the public at risk; and


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16 WHEREAS, the American Civil Liberties Union of Hawaii
17 receives frequent complaints from family members of prisoners
18 regarding the persistent and ongoing cancellation of scheduled
19 visitation times at Hawaii's prisons due to staffing shortages;
20 now, therefore,

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22 BE IT RESOLVED by the Senate of the Twenty-eighth
23 Legislature of the State of Hawaii, Regular Session of 2015, the
24 House of Representatives concurring, that the Auditor is
25 requested to conduct an audit to determine whether potential
26 patterns of abuse exist in the use of state and federal leave
27 benefits by adult corrections officers of the Department of
28 Public Safety; and

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30 BE IT FURTHER RESOLVED that the Auditor is further
31 requested to submit findings and recommendations, including any
32 proposed legislation, to the Legislature no later than twenty
33 days prior to the convening of the Regular Session of 2016; and

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35 BE IT FURTHER RESOLVED that certified copies of this
36 Concurrent Resolution be transmitted to the Auditor and the
37 Director of Public Safety.

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40 OFFERED BY:


Will Egan

